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EXAMINER

LABAZE, EDWYN

ART UNIT PAPER NUMBER

2876

DATE MAILED: 09/12/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/932,657

Applicant(s)

GARRETT ET AL.

Examiner

EDWYN LABAZE

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 08/18/01.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-5, 10-23 and 25-30 are rejected under 35 U.S.C. 102(b) as being unpatented by Hanson et al. (U.S. 5,349,497).

Re claim 1: Hanson et al. discloses a detachable handle structure for terminals, which includes a substantially planar computer-mounting portion/plate 21(col.5, lines 5+) for receiving (col.8, lines 14-17) the hand-held computer 10 (col.4, line 61), an elongate handle 20 (col.5, line 4) operably secured to the computer-mounting portion/plate, and a trigger 29 (col.5, line 38) operably secured to the handle in electrical communication (col.5, lines 52-55) with the portable computer such that depressing the trigger actuates at least one function (col.5, lines 38-41) on the hand-held computer.

Re claim 2: Hanson et al. teaches an apparatus, wherein the handle is a joystick-type handle (col.5, lines 42-55).

Re claim 3: Hanson et al. discloses an apparatus, wherein the joystick-type handle includes a handle grip portion (col.5, line 51).

Re claim 4: Hanson et al. teaches an apparatus, wherein the hand-held computer is operably secured to a data reader or scanner 13 (col.5, line 21), and at least one function includes the data reader.

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Re claim 5: Hanson et al. discloses an apparatus, wherein the data reader is a bar code scanner (col.4, lines 60-64).

Re claim 10: Hanson et al. discloses an apparatus, wherein the position of the handle with respect to the planar mounting portion/plate 21 is adjustable in at one direction (see Fig. 12; col.5, lines 65+).

Re claim 11: Hanson et al. teaches an apparatus, wherein at least two different directions include toward and away from a front side of the planar mounting portion 21 (col.5, lines 56-68+).

Re claim 12: Hanson et al. discloses an apparatus, wherein the position of the handle with respect to the planar mounting portion/plate 21 is adjustable in at least two different directions (see Fig. 12; col.5, lines 65+).

Re claim 13: Hanson et al. teaches an apparatus, wherein at least two different directions include toward and away from a front side of the planar mounting portion 21 (col.5, lines 56-68+), and toward and away from a right side of the planar mounting portion/plate 21 (see Fig. 12).

Re claim 14: Hanson et al. discloses an apparatus, wherein the handle is rotatably secured to the planar portion/plate (col.6, lines 50-63).

Re claim 15: Hanson et al. discloses an apparatus, wherein the handle is operably secured to the planar portion such that the angle of the handle with respect to the planar portion is adjustable (col.7, lines 41-45).

Re claim 16: Hanson et al. teaches an apparatus, wherein a ball 36 (col.5, line 57) and socket joint 40 (col.6, lines 7+) operably secures the handle to the planar portion.

Re claim 17: Hanson et al. discloses an apparatus, which includes at least auxiliary connectivity port operably secured to the portable computer handle and in electrical communication with the hand-held computer (col.9, lines 47-52).

Re claim 18: Hanson et al. teaches an apparatus, wherein the connectivity port is an electrical jack 187 (col.9, line 53) for operably engaging an external power source to power the hand-held computer.

Re claim 19: Hanson et al. discloses an apparatus, wherein the auxiliary connectivity port is a communication port for operably connecting an external system to hand-held (col.6, lines 6-15; and col.9, lines 27-46).

Re claim 20: Hanson et al. teaches an apparatus, which also includes an internal battery received with portable computer handle, and in electrical communication with the hand-held computer to provide auxiliary power to the hand-held computer (col.5, lines 33-41).

Re claim 21: Hanson et al. discloses a detachable handle structure, which includes a base or housing for detachably receiving the hand-held computer (col.2, lines 21-26), an elongate handle having a base mounting portion 21 (col.5, line5) and an handle grip portion (col.5, line 51), the base mounting portion is operably secured to the base and handle grip infinitely adjustable in at least one with respect to the base (col.5, lines 65+), a trigger 29 (col.5, line 28) operably secured to the handle grip portion and in electrical communication (col.5, lines 52-55) with the hand-held computer such that depressing the trigger actuates at least one function of the hand-held computer (col.5, lines 38-41).

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Re claim 22: Hanson et al. teaches an apparatus, wherein the hand-held computer is operably secured to a data reader, and at least one function includes operating the data reader 13 (col.10, lines 35-37).

Re claim 23: Hanson et al. teaches an apparatus, wherein the data reader is a bar code scanner (col.4, lines 60-64).

Re claim 25: Hanson et al. teaches an apparatus, where at least one direction is toward and toward from a front of the base (col.5, lines 56-68+).

Re claim 26: Hanson et al. discloses an apparatus, wherein the position of the handle with respect to the planar mounting portion/plate 21 is adjustable in at least two different directions (see Fig. 12; col.5, lines 65+).

Re claim 27: Hanson et al. teaches an apparatus, wherein at least two different directions include toward and way from side of the side (col.5, lines 56-68+), and toward and away from a right side of the base (see Fig. 12).

Re claim 28: Hanson et al. discloses an apparatus, wherein the handle is rotatably secured to the planar portion/plate (col.6, lines 50-63).

Re claim 29: Hanson et al. teaches an apparatus, wherein the handle grip portion is operably secured to the base mounting portion such that the angle (col.7, lines 42-45) of the handle with respect to the base mounting plate.

Re claim 30: Hanson et al. teaches an apparatus, wherein a ball 36 (col.5, line 57) and socket joint 40 (col.6, lines 7+) operably secures the handle to the planar portion.

*Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 6, 9 and 24 rejected under 35 U.S.C. 103(a) as being unpatentable over Hanson et al. in view of Koenck et al. (U.S. 5,410,141).

The teaching of Hanson et al. have discussed above.

Hanson et al. fails to disclose a radio frequency identification tag reader and the center of gravity of combined portable computer handle.

Koenck et al. teaches a hand-held data capture system with interchangeable modules, which includes a RF tag (col.23, lines 43-53) and the center of gravity of the portable computer handle (col.18, lines 55-59).

In view of Koenck et al.'s teaching, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to employ a radio frequency tag and the center of gravity of the portable computer handle in the teaching of Hanson et al. to produce a RF signal of a first frequency to energize a radio frequency transponder-type identification and receiving an identifying signal of a second frequency transmitted by an energized radio frequency identification tag to provide a second electrical output signal correspond to the tag identifying signal, preferably in the same signal format as the bar-code data. Furthermore, the method of the

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center of gravity is utilized to equalize weight on a planar portion. Therefore such modification would have an obvious extension as taught by Hanson et al., and an obvious expedient.

5. Claims 7 and 8 rejected under 35 U.S.C. 103(a) as being unpatentable over Hanson et al. in view of Postman et al. (U.S. 5,664,231).

The teaching of Hanson et al. have discussed above.

Hanson et al. fails to disclose a personal digital assistant.

Postman et al. teaches a PCIMA interface card for coupling input devices to personal digital assistant, which includes a PDA 26 (col.5, line 57).

In view of Postman et al.'s teaching, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to employ a personal digital assistant (PDA) into the system of Hanson et al. to incorporate further communication capabilities such as fax boards, and modems as well as software packages for instance word processing, note taking, handwriting recognition, and daily planners. Furthermore, a personal digital assistant facilitates the customer/user having operations of types to wireless Internet access which combine PDA functions and wireless browser functions. Therefore, such modification would have an obvious extension of the teaching by Hanson et al.

Re claim 8: Hanson et al. in view of Postman et al. discloses a system, wherein the personal digital assistant (PDA) is a commercially available, off-the-shelf product (col.15, lines 50+).



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*Conclusion*

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ahearn et al. (U.S. 5,801,918) discloses an ergonomic housing for a microcomputer.

Kunert et al. (U.S. 6,109,528) teaches an ergonomic hand-held data terminal and data collection system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to EDWYN LABAZE whose telephone number is (703) 305-5437.

The examiner can normally be reached on 7:30 AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (703) 305-3503. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

el  
Edwyn Labaze  
Assistant Examiner  
Technology Center 2876  
August 26, 2002



KARL D. FRECH  
PRIMARY EXAMINER